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APPLICATION N	Ю.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/017,143		10/29/2001	Robert Edward Gott	J6697(C)	9705
201	7590	06/25/2003			
UNILEV		455.15	EXAMINER		
45 RIVE			COLE, ELIZABETH M		
EDGEWATER, NJ 07020				ART UNIT	PAPER NUMBER
				1771	
				DATE MAILED: 06/25/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)					
	10/017,143	GOTT ET AL.					
Office Action Summary	Examiner	Art Unit					
	Elizabeth M Cole	1771					
The MAILING DATE of this communication appears on the cover sheet with the correspondence address							
Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM							
THE MAILING DATE OF THIS COMMUNICATION - Extensions of time may be available under the provisions of 37 CFR 1 after SIX (6) MONTHS from the mailing date of this communication. - If the period for reply specified above is less than thirty (30) days, a re - If NO period for reply is specified above, the maximum statutory perio - Failure to reply within the set or extended period for reply will, by statu - Any reply received by the Office later than three months after the mail earned patent term adjustment. See 37 CFR 1.704(b). Status	I. 1.136(a). In no event, however, may a poly within the statutory minimum of th id will apply and will expire SIX (6) MC ute, cause the application to become b	a reply be timely filed hirty (30) days will be considered timely. INTHS from the mailing date of this communication. ABANDONED (35 U.S.C. § 133).					
1) Responsive to communication(s) filed on	·						
2a) ☐ This action is FINAL . 2b) ☑ 1	This action is non-final.						
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.							
Disposition of Claims							
4) Claim(s) 1-9 is/are pending in the application							
4a) Of the above claim(s) is/are withdrawn from consideration.							
5) Claim(s) is/are allowed.							
6)⊠ Claim(s) <u>1-9</u> is/are rejected.							
7) Claim(s) is/are objected to.							
8) Claim(s) are subject to restriction and/or election requirement. Application Papers							
9) The specification is objected to by the Examir	ner.						
10) ☐ The drawing(s) filed on is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.							
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).							
11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner.							
If approved, corrected drawings are required in reply to this Office action.							
12) The oath or declaration is objected to by the Examiner.							
Priority under 35 U.S.C. §§ 119 and 120							
13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).							
a) ☐ All b) ☐ Some * c) ☐ None of:							
1. Certified copies of the priority docume	1. Certified copies of the priority documents have been received.						
2. Certified copies of the priority documents have been received in Application No							
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 							
14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).							
a) ☐ The translation of the foreign language provisional application has been received. 15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.							
Attachment(s)							
Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) Information Disclosure Statement(s) (PTO-1449) Paper No(s)	5) Notice of	w Summary (PTO-413) Paper No(s) of Informal Patent Application (PTO-152)					
LS Patent and Trademark Office							

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1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 3. Claims 1-9 are rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over EP 1,149,574 to Kaneda et al. Kaneda et al discloses a cleansing material comprising from 10-80% by weight water, (see paragraph 0018), 0.5-10 by weight surfactant, (see paragraph 0019), which is impregnated onto a water insoluble substrate such as a non-woven fabric, (see paragraph 0025). Kaneda teaches that the viscosity is 200-4000 mPa.s at 25 C, which would correspond to 4000 cp which is within the claimed range. The material would necessarily be damp. Kaneda does not teach that the viscosity is measured on a Haake CV 20 Rheometer with 30 mm profiled parallel plates at 23 C, but it is reasonable to presume that the viscosity of the Kaneda composition would fall within the claimed range if measured as set forth in the claim. Support for this presumption is found in the fact that the viscosity has been measured at and falls within the claimed range, and because Kaneda teaches employing the water and surfactant components in amounts which are within the claimed range.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Elizabeth M. Cole whose telephone number is (703) 308-0037. The examiner may be reached between 6:30 AM and 5:00 PM Monday through Thursday.

Mr. Terrel Morris, the examiner's supervisor, may be reached at (703) 308-2414.

Inquiries of a general nature may be directed to the Group Receptionist whose telephone number is (703) 308-0661.

The fax number for official faxes is (703) 872-9310. The fax number for official after final faxes is (703) 872-9311. The fax number for unofficial faxes is (703) 305-5436.

Elizabeth M. Cole Primary Examiner Art Unit 1771

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June 24, 2003